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Paper No. 11

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DEC 30 2003
OFFICE OF PETITIONS

In re Application of
Kalnitsky & Lin
Application No.: 09/998,595
Filed: November 16, 2001
Attorney Docket No.: 93-C-032RE(1678-42)
For: ENHANCED PLANARIZATION
TECHNIQUE FOR AN INTEGRATED CIRCUIT

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed December 19, 2003 (certificate of mailing date December 15, 2003).

The petition is granted.


Petitioner has shown that the non-signing inventor, Yih-Shung Lin, cannot be located. Specifically, the declaration/statement of facts of Patent Assistant Kelly J. Pederson establishes that the inventor could not be located despite numerous Internet searches of telephone directories of several countries. Inquiries of Lin's whereabouts directed to co-inventor Kalnitsky were fruitless. A package containing the reissue application and a declaration sent to Mr. Lin's last known address was returned as undeliverable. Attempts to reach Mr. Lin by telephone using his last known telephone number were unsuccessful. Petitioner has shown that Mr. Lin cannot be located. Petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at his last known address, as given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the above-identified application will be forwarded to Technology Center 2800 for examination in due course.

Telephone inquiries should be directed to the undersigned at (703) 308-6712.


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